

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

PAUL J. McNALLY, as he is TRUSTEE,  
MASSACHUSETTS LABORERS' HEALTH AND  
WELFARE FUND and NEW ENGLAND LABORERS'  
TRAINING TRUST FUND; JAMES MERLONI, JR.,  
as he is TRUSTEE, MASSACHUSETTS LABORERS'  
PENSION FUND and MASSACHUSETTS LEGAL  
SERVICES FUND; MARTIN F. WALSH, as he is  
TRUSTEE, MASSACHUSETTS LABORERS'  
ANNUITY FUND,

Plaintiffs

vs.

J. MICHAEL LANDSCAPING, INC.,  
Defendant

and

BARLETTA ENGINEERING CORPORATION;  
MODERN CONTINENTAL CONSTRUCTION CO.,  
INC.; and PEABODY CONSTRUCTION COMPANY,  
INC.,

Reach-and-Apply Defendants

C.A. No. 05-11624 RWZ

**MOTION FOR SECOND EXTENSION OF TIME TO FILE  
FOR ENTRY OF DEFAULT JUDGMENT**

Plaintiffs Paul J. McNally, as he is Trustee, et al, herein respectfully move this honorable Court for an extension of time until June 5, 2006 in which to file Plaintiffs' Motion for Entry of Default Judgment. As grounds therefore, Plaintiffs state as follows:

1. The parties are currently seeking to resolve the above-captioned matter and have exchanged settlement proposals.

2. Judicial resources, as well as the parties' resources, will be conserved if the matter can be settled promptly and efficaciously.

WHEREFORE, Plaintiffs seek a further extension of time until June 5, 2006 in which to file for Entry of Default Judgment in this matter.

Respectfully submitted,

PAUL J. McNALLY, as he is  
TRUSTEE, MASSACHUSETTS  
LABORERS' HEALTH AND WELFARE  
FUND, et al,

By their attorneys,

/s/ Gregory A. Geiman  
Anne R. Sills, Esquire  
BBO #546576  
Gregory A. Geiman, Esquire  
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ggeiman@segalroitman.com

Dated: May 5, 2006

#### **CERTIFICATE OF SERVICE**

This is to certify that a copy of the above Plaintiffs' Motion for Extension of Time has been served by first class mail upon defendant, J. Michael Landscaping, Inc. by its attorney, Paul Hogan, Esquire at Hogan & Associates, 63 Chatham Street, Boston, MA 02109 and reach-and-apply defendants, Barletta Engineering Corporation at 40 Shawmut Road, Suite #200, Canton, MA 02021, Modern Continental Construction Co., Inc. at 600 Memorial Drive, Cambridge, MA 02139, and Peabody Construction Company, Inc. at 536 Granite Street, Braintree, MA 02184 this 5<sup>th</sup> day of May, 2006.

/s/ Gregory A. Geiman  
Gregory A. Geiman, Esquire